

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

BRENDA ADAMS,)	
)	
Plaintiff,)	
)	No. 4:05-CV-2249 CAS
v.)	
)	
SBC,)	
)	
Defendant.)	

ORDER

This matter came before the Court on a Rule 16 conference set for February 3, 2006 at 10:05 a.m. in Courtroom No. 12-N. The Order Setting Rule 16 Conference dated December 8, 2005 specifically directed, “If any party appears in this action pro se (i.e., not represented by counsel), such party shall meet with all other parties or counsel, participate in the preparation and filing of a joint proposed scheduling plan, and appear for the scheduling conference, all in the same manner as otherwise required by this order.” [Doc. 6] at 3(emphasis added). The Order Setting Rule 16 Conference also states, “Pursuant to Local Rule 5.03, failure to comply with any aspect of this order may result in the imposition of sanctions, including but not limited to the imposition of monetary sanctions on parties or counsel, dismissal of the action, entry of a default judgment, or restrictions on the admissibility of certain evidence.” Id. at 3-4.

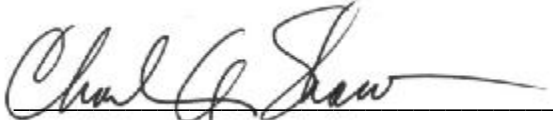
Although pro se plaintiff Brenda Adams participated in the preparation of a joint proposed scheduling plan, she did not appear in Court as ordered for the scheduled Rule 16 conference. The Court was not able to conduct the Rule 16 conference in her absence. Plaintiff Adams did not contact the Court or opposing counsel in advance to explain her absence or to seek rescheduling of the Rule

16 conference. Although the Court could dismiss this action for her failure to appear, it will continue the conference for a period of thirty days.

Accordingly,

IT IS HEREBY ORDERED that the Rule 16 scheduling conference in this matter is reset to **March 3, 2006**, at 9:35 a.m. in Courtroom No. 12-N. The Order Setting Rule 16 Scheduling Conference previously issued on **December 8, 2005** shall otherwise remain in full force and effect with respect to the new date.

IT IS FURTHER ORDERED that if plaintiff Adams does not appear at the Rule 16 conference as scheduled by this Order, this case will be dismissed with prejudice for failure to comply with the orders of the Court.


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of February, 2006.